

FORM PTO-1390

U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket No.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

3172-103

U.S. Application No. (if known)

10/526,535

INTERNATIONAL APPLICATION NO.
PCT/CA2003/001335

INTERNATIONAL FILING DATE
September 2, 2003

PRIORITY DATE CLAIMED
September 3, 2002

TITLE OF INVENTION
NEOADJUVANT TREATMENT OF BREAST CANCER

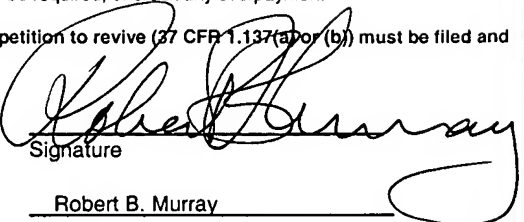
APPLICANT(S) FOR DO/EO/US
Lorne J. BRANDES

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Request for Refund

U.S. APPLICATION NO. (If known) New Application		INTERNATIONAL APPLICATION NO. PCT/CA2003/001335		ATTORNEY DOCKET NO. 3172-103	
21. The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
<input checked="" type="checkbox"/> Basic national Fee \$300.00				\$	
22. <input checked="" type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00				\$	
23. <input checked="" type="checkbox"/> Search Fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00				\$	
TOTAL OF 21, 22 AND 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate		
- 100 =	/ 50 =		x 250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	19 -20 =		X \$50.00	\$ 0	
Independent Claims	1- 3 =		X \$200.00	\$ 0	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$ 0	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.				\$ 0	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 0
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 0
TOTAL FEES ENCLOSED =				\$ 0	
				Amount to be refunded	\$
				Amount to be charged	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No. 06449</p> <p>Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040</p>					
<p> Signature</p> <p>Robert B. Murray Name</p> <p>22,980 Registration Number</p>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/526,535
Applicant : Lorne J. BRANDES
Filed : March 4, 2005
TC/A.U. :
Examiner :

Docket No. : 3172-103
Customer No. : 6449
Confirmation No. :

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The United States Patent and Trademark Office is advised of the fact that the assignee of the above patent is entitled to small entity status. It is requested that the records of the patent and trademark office be corrected accordingly.

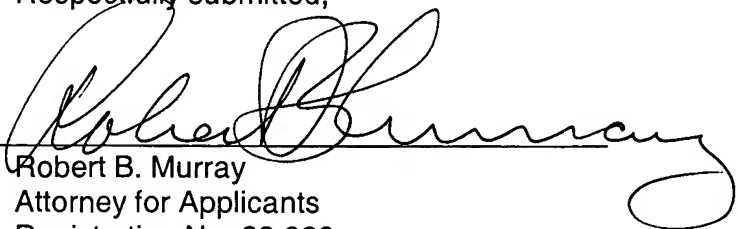
Request is hereby made for a refund in the amount of Four Hundred Fifty Dollars (\$450).

The applicant herein is entitled to a refund of one half of the government fee paid on March 4, 2005, in the amount of \$450.

It is respectfully requested that the refund be credited to the undersigned's Deposit Account No. 02-2135.

Respectfully submitted,

By



Robert B. Murray
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RBM/cb